

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ANTON A. EWING,

Plaintiff,

v.

PHILIP A. FLORA (aka Phil Flora or
Philip Anthony Flora); EVERY DATA,
INC., an unknown corporation; EVERY
DATA, a fictitious business; DOES 1-
100; ABC CORPORATIONS 1-100;
LLC'S 1-100,

Defendants.

Case No.: 14cv2925 AJB (NLS)

**ORDER OVERRULING
PLAINTIFF'S OBJECTION AND
DENYING PARTIAL APPEAL**

(Doc. No. 41)

Presently before the Court is Plaintiff Anton Ewing's ("Plaintiff") notice of partial appeal of the order granting in part and denying in part Defendants' motion for a protective order. (Doc. No. 42.) On August 26, 2015, Magistrate Judge Stormes issued an order granting in part and denying in part Defendants' motion for a protective order. (Doc. No. 40.) Pursuant to Federal Rule of Civil Procedure 72(a), a party may object to a magistrate judge's order at which point the "district judge in the case must consider timely objections and modify or set aside any part of the order that is clearly erroneous or is contrary to law." Fed. R. Civ. P. 72(a). Plaintiff's only objection is that a portion of the

1 order lacks legal authority. However, pursuant to Federal Rule of Civil Procedure
2 26(c)(1), the Court has authority to enter protective orders and is afforded wide discretion
3 in doing so. This authority includes entering a protective order specifying the terms for
4 discovery and prescribing a discovery method other than the one selected by the parties.
5 *See* Fed. R. Civ. P. 26(c)(1)(B),(C). Accordingly, Plaintiff's objection is **OVERRULED**
6 and the partial appeal is **DENIED**.

7
8 **IT IS SO ORDERED.**

9
10 Dated: September 4, 2015


Hon. Anthony J. Battaglia
United States District Judge